

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB № 0930-0222

FFY 2019

State: KY

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INTRODUCTION

The Annual Synar Report (ASR) format provides the means for states to comply with the reporting provisions of the Public Health Service Act (42 U.S.C. 300x-26) and the Tobacco Regulation for the Substance Abuse Prevention and Treatment Block Grant (SABG) (45 C.F.R. 96.130 (e)).

How the Synar report helps the Center for Substance Abuse Prevention

In accordance with the tobacco regulations, states are required to provide detailed information on progress made in enforcing youth tobacco access laws (FFY 2018 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2019 Intended Use Plan). These data are required by 42 U.S.C. 300x-26 and will be used by the Secretary to evaluate state compliance with the statute. Part of the mission of the Center for Substance Abuse Prevention (CSAP) is to assist states¹ by supporting Synar activities and providing technical assistance helpful in determining the type of enforcement measures and control strategies that are most effective. This information is helpful to CSAP in improving technical assistance resources and expertise on enforcement efforts and tobacco control program support activities, including state Synar program support services, through an enhanced technical assistance program involving conferences and workshops, development of training materials and guidance documents, and onsite technical assistance consultation.

How the Synar report can help states

The information gathered for the Synar report can help states describe and analyze substate needs for program enhancements. These data can also be used to report to the state legislature and other state and local organizations on progress made to date in enforcing youth tobacco access laws when aggregated statistical data from state Synar reports can demonstrate to the Secretary the national progress in reducing youth tobacco access problems. This information will also provide Congress with a better understanding of state progress in implementing Synar, including state difficulties and successes in enforcing retailer compliance with youth tobacco access laws.

¹The term “state” is used to refer to all the states and territories required to comply with Synar as part of the Substance Abuse Prevention and Treatment Block Grant Program requirements (42 U.S.C. 300x-64 and 45 C.F.R. 96.121).

Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of State Programs at (240) 276-2550 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or email. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Financial Resources, Division of Grants Management, at (240) 276-1422.

Where and when to submit the Synar report

The ASR must be received by SAMHSA no later than December 31, 2018 and must be submitted in the format specified by these instructions. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page one of the ASR certifying that the state has complied with all reporting requirements.

The state must upload one copy of the ASR using the online WebBGAS (Block Grant Application System). In addition, the following items must be uploaded to WebBGAS:

- FFY 2019 Synar Survey Results: States that use the Synar Survey Estimation System (SSES) must upload one copy of *SSES Tables 1–8* (in Excel) to WebBGAS. **Please note that, beginning with the FFY 2019 ASR, SSES will generate Tables 6, 7, and 8, which are based on the optional microdata on product type, retail outlet type, and whether identification was requested. If your state does not submit these optional data, Tables 6, 7, and 8 will be blank. Tables 6, 7, and 8 are generated for the convenience of the state, and states are not required to submit completed versions of Tables 6, 7, or 8.** States that do not use SSES must upload one copy of ASR Forms 1, 4, and 5, and Forms 2 and 3, if applicable, (in Excel), as well as a database with the raw inspection data to WebBGAS.
- Synar Inspection Form: States must upload one blank copy of the inspection form used to record the result of each Synar inspection.
- Synar Inspection Protocol: States must upload a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections. This document should be different than the Appendix C attached to the Annual Synar Report.
- A scanned copy of the signed Funding Agreements/Certifications

Each state SSA Director has been emailed a login ID and password to log onto the Synar section of the WebBGAS site.

FFY 2019: FUNDING AGREEMENTS/CERTIFICATIONS

The following form must be signed by the Chief Executive Officer or an authorized designee and submitted with this application. Documentation authorizing a designee must be attached to the application.

PUBLIC HEALTH SERVICES ACT AND SYNAR AMENDMENT
42 U.S.C. 300x-26 requires each state to submit an annual report of its progress in meeting the requirements of the Synar Amendment and its implementing regulation (45 C.F.R. 96.130) to the Secretary of the Department of Health and Human Services. By signing below, the chief executive officer (or an authorized designee) of the applicant organization certifies that the state has complied with these reporting requirements and the certifications as set forth below.
SYNAR SURVEY SAMPLING METHODOLOGY
The state certifies that the Synar survey sampling methodology on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2019 is up-to-date and approved by the Center for Substance Abuse Prevention.
SYNAR SURVEY INSPECTION PROTOCOL
The state certifies that the Synar Survey Inspection Protocol on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2019 is up-to-date and approved by the Center for Substance Abuse Prevention.
State: Kentucky
Name of Chief Executive Officer or Designee: Adam Meier
Signature of CEO or Designee:
Title: Secretary, Cabinet for Health and Family Services Date Signed:
If signed by a designee, a copy of the designation must be attached.

SECTION I: FFY 2018 (Compliance Progress)**YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT**

42 U.S.C. 300x-26 requires the states to report information regarding the sale/distribution of tobacco products to individuals under age 18.

- 1. Please indicate any changes or additions to the state tobacco statute(s) relating to youth access since the last reporting year. If any changes were made to the state law(s) since the last reporting year, please upload a copy of the state law to WebBGAS. (see 42 U.S.C. 300x-26).**

- a. Has there been a change in the minimum sale age for tobacco products?**

☐ Yes ☒ No

If Yes, current minimum age: ☐ 19 ☐ 20 ☐ 21

- b. Have there been any changes in state law that impact the state's protocol for conducting Synar inspections?**

☐ Yes ☒ No

If Yes, indicate change. (Check all that apply.)

- ☐ Changed to require that law enforcement conduct inspections of tobacco outlets
☐ Changed to make it illegal for youth to possess, purchase or receive tobacco
☐ Changed to require ID to purchase tobacco
☐ Changed definition of tobacco products
☐ Other change(s) (Please describe.) _____

- c. Have there been any changes in state law that impact the following?**

Licensing of tobacco vendors ☐ Yes ☒ No
 Penalties for sales to minors ☐ Yes ☒ No
 Vending machines ☐ Yes ☒ No
 Added product categories to youth access law ☐ Yes ☒ No

- 2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) was made public within the state prior to submission of the ASR. (Check all that apply.)**

- ☐ Placed on file for public review
☒ Posted on a state agency Web site (Please provide exact Web address and the date when the FFY 2019 ASR was posted to this Web address.)

Web address:

<https://dbhdid.ky.gov/dbh/documents/sa/SynarReport.pdf?t=10484105022018b>

Date published: December 3, 2018

- ☐ Notice published in a newspaper or newsletter
☐ Public hearing

- ☒ Announced in a news release, a press conference, or discussed in a media interview
- ☐ Distributed for review as part of the SABG application process
- ☐ Distributed through the public library system
- ☐ Published in an annual register
- ☐ Other *(Please describe.)* The Cabinet Approved Version of the Synar Report was sent to the Kentucky Behavioral Health Planning and Advisory Council for comment. The thirty six member Council represents and makes recommendations on issues and services regarding mental health and substance abuse disorders.

3. Identify the following agency or agencies *(see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).*

- a. The state agency(ies) designated by the Governor for oversight of the Synar requirements:**

The Department of Behavioral Health, Intellectual and Developmental Disabilities

Has this changed since last year's Annual Synar Report?

☐ Yes ☒ No

- b. The state agency(ies) responsible for conducting random, unannounced Synar inspections:**

The Department of Alcoholic Beverage Control

Has this changed since last year's Annual Synar Report?

☐ Yes ☒ No

- c. The state agency(ies) responsible for enforcing youth tobacco access law(s):**

The Department of Alcoholic Beverage Control

Has this changed since last year's Annual Synar Report?

☐ Yes ☒ No

4. Identify the following agencies and describe their relationship with the agency responsible for the oversight of the Synar requirements.

- a. Identify the state agency responsible for tobacco prevention activities (the agency that receives the Centers for Disease Control and Prevention's National Tobacco Control Program funding).**

The Tobacco Prevention and Cessation Program Department for Public Health

- b. Has the responsible agency changed since last year's Annual Synar Report?**

☐ Yes ☒ No

- c. Describe the coordination and collaboration that occur between the agency responsible for tobacco prevention and the agency responsible for oversight of the Synar requirements. (Check all that apply.) The two agencies**

- ☐ Are the same
☐ Have a formal written memorandum of agreement
☒ Have an informal partnership
☒ Conduct joint planning activities
☒ Combine resources
☒ Have other collaborative arrangement(s) *(Please describe.)* The Policy Analyst for the Department for Public Health Tobacco Prevention and Cessation Program meets regularly with the Synar Program Coordinator of the purposes of joint planning and coordination with regards to the maintenance and marketing of the Tobacco Underage Sales Training Program, the TRUST Community Compliance Check Program and the roll out of any CDC funded tobacco/Electronic Nicotine Device awareness campaigns. We are currently working together to get reliable information to all our prevention providers about JUUL. The Tobacco Prevention and Cessation Policy Analyst will speak out our upcoming Regional Prevention Center Director's meeting to talk about JUUL's new campaign to develop an electronic nicotine device prevention program. We also work closely with the Assistant to the Attorney General on youth access issues related to the Assurance of Voluntary Compliance Program. The Assistant to the Attorney General regularly attends quarterly Synar Program Meetings. The Synar Program Coordinator regularly sends data relating to youth smoking and youth access issues the Attorney General's office.
☐ No relationship

d. Does a state agency contract with the Food and Drug Administration's Center for Tobacco Products (FDA/CTP) to enforce the youth access and advertising restrictions in the Family Smoking Prevention and Tobacco Control Act?
☒ Yes ☐ No (if no, go to Question 5)

e. If yes, identify the state agency responsible for enforcing the youth access and advertising restrictions in the Family Smoking Prevention and Tobacco Control Act (the agency that is under contract to the Food and Drug Administration's Center for Tobacco Products (FDA/CTP)).
The Department of Alcoholic Beverage Control

f. Has the responsible agency changed since last year's Annual Synar Report?
☐ Yes ☒ No

g. Describe the coordination and collaboration that occur between the agency contracted with the FDA to enforce federal youth tobacco access laws and the agency responsible for oversight of the Synar requirements. (Check all that apply.) The two agencies:

- ☐ Are the same
☒ Have a formal written memorandum of agreement
☐ Have an informal partnership
☐ Conduct joint planning activities

- ☐ Combine resources
- ☐ Have other collaborative arrangement(s) (*Please describe.*) _____
- ☐ No relationship

h. Does the state use data from the FDA enforcement inspections for Synar survey reporting?

- ☐ Yes ☒ No

5. Please answer the following questions regarding the state's activities to enforce the state's youth access to tobacco law(s) in FFY 2018 (*see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e)*).

a. Which one of the following describes the enforcement of state youth access to tobacco laws carried out in your state? (*Check one category only.*)

- ☐ Enforcement is conducted exclusively by local law enforcement agencies.
- ☒ Enforcement is conducted exclusively by state agency(ies).
- ☐ Enforcement is conducted by both local *and* state agencies.

- b. The following items concern penalties imposed for all violations of state youth access to tobacco laws by **LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES** (this does not include enforcement of local laws or federal youth tobacco access laws). Please fill in the number requested. If state law does not allow for an item, please mark “NA” (not applicable). If a response for an item is unknown, please mark “UNK.” The chart must be filled in completely.

PENALTY	OWNERS	CLERKS	TOTAL
Number of <u>citations issued</u>	N/A	N/A	
Number of <u>finest assessed</u>	N/A	N/A	
Number of <u>permits/licenses suspended</u>	N/A		
Number of <u>permits/licenses revoked</u>	N/A		
Other (Please describe.)		N/A	

- c. Are citations or warnings issued to retailers or clerks who sell tobacco to minors for inspections that are part of the Synar survey?

☒ Yes ☐ No

If “Yes” to 5c, please describe the state’s procedure for minimizing risk of bias to the survey results from retailers alerting each other to the presence of the survey teams:

The procedure that the Department of Alcoholic Beverage Control uses to issue citations or warnings to clerks who sell tobacco is as follows: In the event of a successful purchase, the aide takes the cigarettes, e-cigarette or smokeless tobacco to the car with the waiting officer, and the officer who is in the store issues a civil citation to the clerk, which consists of a fine. Immediately after the inspection, the inspection form is completed and the investigative aide and officers drive to the next assigned outlet. If no sale has been made, the teen says, “Thank you,” and leaves. In this way the investigative aide is protected, as an irate retailer may wish to retaliate against what he/she considers a “sting.” Third, and most relevant to this question, by not informing the retailers who are compliant that they have just been inspected, (generally on the order of 95%) we reduce the number of stores that know Synar checks are being performed. By reducing the number of stores that know that Synar checks are being performed we also reduce the number of stores who may be tempted to call and alert other retailers in the area.

- d. Which one of the following best describes the level of enforcement of state youth access to tobacco laws carried out in your state? (Check one category only.)

- ☐ Enforcement is conducted only at those outlets randomly selected for the Synar survey.
- ☐ Enforcement is conducted only at a subset of outlets not randomly selected for the Synar survey.
- ☒ Enforcement is conducted at a combination of outlets randomly selected for the Synar survey and outlets not randomly selected for the Synar survey.

e. Did every tobacco outlet in the state receive at least one compliance check that included enforcement of the state youth tobacco access law(s) in the last year?

☐ Yes ☒ No

f. What additional activities are conducted in your state to support enforcement and compliance with state youth tobacco access law(s)? (Check all that apply and briefly describe each activity in the text boxes below each activity.)

☒ Merchant education and/or training

The Tobacco Retailer Underage Sales (TRUST) vendor education, launched in July of 2012 has as thus far trained 5,580 clerks across the state. This year 1,580 clerks were trained -an increase of 280 clerks over last year. We continue to market TRUST by mailing to every tobacco retailer on our Synar list frame twice a year promotional postcards advertising the training. We have also placed full page ads in retail trade magazines such as the Kentucky Grocer's Association and the Midwest Malt Beverage Journal. The Synar Program Coordinator and Prevention Branch Supervisor were recently invited to the KY Grocer's Association Board of Director's Annual Meeting where they made presentations on the link between early initiation of smoking and later opioid use. In addition, the Synar Program funds a community compliance check program whereby local coalitions are provided funding to do non-punitive tobacco inspections. Each store inspected receives a TRUST brochure and a brief talk on the importance of vendor education and limiting underage youth access to tobacco products. We are in the process of stepping up our marketing efforts by developing a packet of tobacco compliance information based on West Virginia's "See Red" Campaign. We hope to have the packets developed, printed and distributed before the end of FFY 2019.

As has been noted in past reports, one Kentucky Convenience store chain comprising over one hundred stores requires all of its employees to take the TRUST training once a year. The Kentucky Synar Coordinator recently checked the compliance rate of this chain in the FDA's "Compliance Check Inspection of Tobacco Product Retailers database. The findings were eye opening. Out of 360 inspections conducted on that retailer's outlets since the FDA inspections began in Kentucky, only six violations were noted; making for a compliance rate of 98.4%. This example provides us with data showing that our TRUST Program, if used conscientiously and consistently, is effective in reducing the illegal sales of tobacco and nicotine products to underage youth and can also save retailers money.

☒ Incentives for merchants who are in compliance (e.g., nonenforcement compliance checks in which compliant retailers are given positive reinforcement

and noncompliant retailers are warned about youth access laws)

The Kentucky Synar Program incentivizes tobacco retailer compliance through its TRUST Community Compliance Check Program. Each year the Synar program through the auspices of the Prevention Branch allocates \$8,000 to fund communities to conduct their own local compliance checks. These compliance checks are non-punitive and are intended to: 1) mobilize communities to take measures to decrease youth access to tobacco and electronic nicotine devices; 2) build positive relationships with tobacco retailers; and, 3) educate tobacco retailers about state and federal tobacco laws through the TRUST program. In state fiscal year 2018 seventy-two compliance checks were conducted through this program. There were a total of eleven violations, resulting in an RVR of 15.7% which is double our Synar RVR. Each store inspected receives a Trust brochure and clerks are encouraged to take the training. Last year fifteen clerks in five of the seventy-two stores inspected took the training. Meaning that only seven percent of the stores inspected became TRUST certified. This fell far below our objective of 25%. The Kentucky Synar Program Coordinator held a follow up webinar for the participants and shared outcomes. One of the points that was stressed was how to talk to clerks about the training in ways that would encourage them to access it and become certified.

The 2019 TRUST Community Compliance Check Program was held on November 7. The number of participants has more than doubled from last year. The West Virginia Synar Program Coordinator who has extensive experience in talking to retailers face to face about the West Virginia merchant education program “See Red” was invited to speak. Participants were also instructed on how to access and use the Online FDA Compliance Check Data Base so they can obtain data on where the violations are occurring in their communities. This year we are coordinating the community Compliance checks with the TRUST Postcard mass mailing, in hopes that it will boost participation in the TRUST Program. The TRUST Community Compliance Check Program is set to Launch on December first and will continue until the end of state fiscal year 2019, or until all funds are expended,

☒ Community education regarding youth access laws

Kentucky's Tobacco Prevention Enhancement Site provides up to date information to our service providers and communities on federal and state youth access laws. The Kentucky Synar Program Coordinator also participates at least once a year in the Department for Public Health's Tobacco Prevention and Cessation webinars where youth access laws and issues are presented to DPH's statewide network of tobacco control coordinators.

☒ Media use to publicize compliance inspection results

The Kentucky Synar Program does not publicize its inspection results, other than to post the report on the DBH website. No individual retailers are singled out. However, communities that participate in the TRUST Community Check Compliance Check Program are encouraged to publicly acknowledge, and congratulate, in whatever way they deem appropriate, the retailers who do not sell tobacco or alternative nicotine products. Last year, one community just outside of

Louisville that participated in the TRUST program, and that was performing checks for E-cigarettes received local news coverage on a major Louisville News station. A link to that news story has been included:

<https://www.whas11.com/article/news/investigations/iteam/keeping-oldham-county-in-compliance-with-e-cig-sales/417-569773312>

☒ Community mobilization to increase support for retailer compliance with youth access laws

Community Mobilization is done through our state funded, TRUST Community Compliance Check Program. The Kentucky Synar Coordinator maintains regular contact with the participants of the this program and sends them information on youth access issues as it becomes available tobacco inspections. This year the Kentucky Synar Coordinator met with the Steering Committee of the Youth Empowerment System (YES), to discuss the possibility of including merchant education efforts among the menu of strategies in the annual YES Minigrants. The goal is to increase the reach of TRUST by engaging and training YES groups, with the oversight of an adult supervisor, to market TRUST training face to face by in store visits.

☒ Other activities (*Please list.*) _____

Every year the Prevention and Promotion Branch and the Tobacco Prevention and Cessation Branch, collaborate to market TRUST in trade magazines and by sending out TRUST marketing material to all retailers on our list frame. We have just finished revising our TRUST postcard and have added a QR code for easy access to the website. The postcards will be mailed out the first week of December. We will track the TRUST training data base to see what effect the post card campaign has. typically, we see significant increases in the month after the post cards are sent.

The Kentucky Synar Program is also collaborating with the Attorney General's Office to work with AVC Violators. We are exploring ways that we can engage AVC participants in the TRUST program.

The Kentucky Synar Program Coordinator is also in the process of revising TRUST window and cashier clings. The idea being to package all the material in folder and provide it to YES groups and to participants of the TRUST Community Compliance Check program so that it can be more easily distributed.

SYNAR SURVEY METHODS AND RESULTS

The following questions pertain to the survey methodology and results of the Synar survey used by the state to meet the requirements of the Synar Regulation in FFY 2018 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

6. Has the sampling methodology changed from the previous year?

☐ Yes ☒ No

The state is required to have an approved up-to-date description of the Synar sampling methodology on file with CSAP. Please submit a copy of your Synar Survey Sampling Methodology (Appendix B). If the sampling methodology changed from the previous reporting year, these changes must be reflected in the methodology submitted.

a. If yes, describe how and when this change was communicated to SAMHSA

7. Please answer the following questions regarding the state's annual random, unannounced inspections of tobacco outlets (see 45 C.F.R. 96.130(d)(2)).

a. Did the state use the optional Synar Survey Estimation System (SSES) to analyze the Synar survey data?

☒ Yes ☐ No

If Yes, upload a copy of SSES tables 1–8 (in Excel) to WebBGAS. Then go to Question 8. If No, continue to Question 7b.

b. Report the weighted and unweighted Retailer Violation Rate (RVR) estimates, the standard error, accuracy rate (number of eligible outlets divided by the total number of sampled outlets), and completion rate (number of eligible outlets inspected divided by the total number of eligible outlets).

Unweighted RVR

Weighted RVR

Standard error (s.e.) of the (weighted) RVR

Fill in the blanks to calculate the right limit of the right-sided 95% confidence interval.

	+	(1.645	×)	=	
RVR Estimate	plus	(1.645	times	Standard Error)	equals	Right Limit

Accuracy rate

Completion rate

c. **Fill out Form 1 in Appendix A (Forms 1–5).** *(Required regardless of the sample design.)*

d. **How were the (weighted) RVR estimate and its standard error obtained?**
(Check the one that applies.)

☐ Form 2 (Optional) in Appendix A (Forms 1–5) *(Attach completed Form 2.)*

☐ Other *(Please specify. Provide formulas and calculations or attach and explain the program code and output with description of all variable names.)*

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e. **If stratification was used, did any strata in the sample contain only one outlet or cluster this year?**

☐ Yes ☐ No ☐ No stratification

If Yes, explain how this situation was dealt with in variance estimation.

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f. **Was a cluster sample design used?**

☐ Yes ☐ No

If Yes, fill out and attach Form 3 in Appendix A (Forms 1–5), and answer the following question.

If No, go to Question 7g.

Were any certainty primary sampling units selected this year?

☐ Yes ☐ No

If Yes, explain how the certainty clusters were dealt with in variance estimation.

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g. **Report the following outlet sample sizes for the Synar survey.**

	Sample Size
Effective sample size (sample size needed to meet the SAMHSA precision requirement assuming simple random sampling)	
Target sample size (the product of the effective sample size and the design effect)	
Original sample size (inflated sample size of the target sample to counter the sample attrition due to ineligibility and noncompletion)	
Eligible sample size (number of outlets found to be eligible in the sample)	
Final sample size (number of eligible outlets in the sample for which an inspection was completed)	

h. **Fill out Form 4 in Appendix A (Forms 1–5).**

8. Did the state's Synar survey use a list frame?

☒ Yes ☐ No

If Yes, answer the following questions about its coverage.

a. The calendar year of the latest Sampling frame coverage study: 2016

b. Percent coverage from the latest Sampling frame coverage study: 80.06%

c. Was a new study conducted in this reporting period?

☐ Yes ☒ No

If Yes, please complete Appendix D (List Sampling Frame Coverage Study) and submit it with the Annual Synar Report.

d. The calendar year of the next coverage study planned: 2019

9. Has the Synar survey inspection protocol changed from the previous year?

☐ Yes ☒ No

The state is required to have an approved up-to-date description of the Synar inspection protocol on file with CSAP. Please submit a copy of your Synar Survey Inspection Protocol (Appendix C). If the inspection protocol changed from the previous year, these changes must be reflected in the protocol submitted.

a. If Yes, describe how and when this change was communicated to SAMHSA

b. Provide the inspection period: From **to**
MM/DD/YY MM/DD/YY

c. Provide the number of youth inspectors used in the current inspection year:

22

NOTE: If the state uses SSES, please ensure that the number reported in 9b matches that reported in SSES Table 4, or explain any difference.

d. Fill out and attach Form 5 in Appendix A (Forms 1–5). (Not required if the state used SSES to analyze the Synar survey data.)

SECTION II: FFY 2019 (Intended Use):

Public Law 42 U.S.C. 300x-26 of the Public Health Service Act and 45 C.F.R. 96.130 (e) (4, 5) require that the states provide information on future plans to ensure compliance with the Synar requirements to reduce youth tobacco access.

1. In the upcoming year, does the state anticipate any changes in:

Synar sampling methodology ☐ Yes ☒ No

Synar inspection protocol ☐ Yes ☒ No

If changes are made in either the Synar sampling methodology or the Synar inspection protocol, the state is required to obtain approval from CSAP prior to implementation of the change and file an updated Synar Survey Sampling Methodology (Appendix B) or an updated Synar Survey Inspection Protocol (Appendix C), as appropriate.

2. Please describe the state's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2019. Include a brief description of plans for law enforcement efforts to enforce youth tobacco access laws, activities that support law enforcement efforts to enforce youth tobacco access laws, and any anticipated changes in youth tobacco access legislation or regulation in the state.

Kentucky plans on maintaining/ reducing its retail violation rate by building synergy between state and local initiatives and strengthening our partnerships with local health departments and tobacco coalitions. On the state level, the Synar Program Coordinator is working with the Attorney General's Office to direct more youth access activities at AVC participants and by developing new merchant education tools. The Synar program will continue to provide funding to communities to conduct their own non-punitive compliance checks. Aside from the compliance checks however, we realize that more effort must be made to get retailers on board with the TRUST training. This will require not only promotional post card mail outs and ad placements in trade magazines but direct contact with store owners and clerks. Our plan is to expand community contact with retailers beyond the TRUST Compliance Check Program participants to include YES groups, Health Departments, as well as those KY-ASAP Boards and Drug Free Community Coalitions who are currently not involved.

In an effort to better target the youth access problem in Kentucky the Synar Coordinator has conducted brief training sessions with RPC staff and coalition members on how to use the FDA Compliance Inspection data base for needs assessment purposes so that they can target their efforts directly on the sources of the problem - stores that have received warning letters or civil money penalties.

3. Describe any challenges the state faces in complying with the Synar regulation. (Check all that apply and describe each challenge in the text box below it.)

☒ Limited resources for law enforcement of youth access laws

The Department of Alcohol Beverage Control has changed its policy regarding annual (non-Synar) enforcement of Kentucky Tobacco Laws. Previous to SFY 2017, The Department Of Alcoholic Beverage Control conducted approximately 3000 state-funded random inspections annually in addition to Synar and FDA inspections. However, due to budget cutbacks The Department Of Alcoholic

Beverage Control no longer conducts any state-funded tobacco inspections. Kentucky's RVR has slightly increased during that time frame, however we do not know if the reduction of enforcement efforts is responsible for this increase in Synar violations

- ☒ Limited resources for activities to support enforcement and compliance with youth tobacco access laws

The Synar program has limited funding for youth access efforts. Our priorities have been, and will continue to be in the area of merchant education, and mobilizing communities to build positive relationships with retailers through the TRUST Community Compliance Check Program. The Synar program would also like to contract with Counter Tools to work with communities on counter advertising but there is no funding available to support this effort.

- ☒ Limitations in the state youth tobacco access laws

Under Kentucky law, store owners are only fined if they do not have clerks sign a Kentucky Tobacco Sales Compliance Statement. The statement references KRS 438.325(3) and says: "I understand that under the law of the Commonwealth of Kentucky it is illegal to sell or distribute tobacco products to persons under the age of 18 and that it is illegal for persons under the age of 18 years to purchase tobacco products." In the event of an underage sale, the clerk is always fined. The owner is not subjected to any financial loss as a result of non-compliance. Clerks who sell tobacco products to minors are subject to a fine of not less than \$100.00 nor more than \$500 for a first violation and not more than \$1000 for any subsequent violation. Violators are issued an administrative citation, rather than an official one, meaning that the citation is handled by The Department for Alcoholic Beverage Control rather than a judge. The current shortage of staff due to budget cuts makes it difficult for The Department Of Alcoholic Beverage Control to follow up with clerks who are remiss in paying their fines. Store owners might be more conscientious about seeing that their clerks receive merchant education training if they were fined instead of the clerks.

- ☐ Limited public support for enforcement of youth tobacco access laws

- ☒ Limitations on completeness/accuracy of list of tobacco outlets

Kentucky has no tobacco licensing law, which makes maintaining an accurate list frame impossible. It is important to note that the accuracy rate of our Synar inspections is gradually improving. In 2012 the accuracy rate for our Synar inspections was 58%. In 2015 it improved to 67.6%. Last year it reached a high of 72%. Last year it dropped to 61%. This year, our accuracy rate was 90.5%, the highest it has been 6 years. The Synar Coordinator worked with the State FDA Coordinator to obtain the FDA TIMS Establishment file and with the Attorney General's Office to obtain a list of retailers from the Kentucky Tobacco Wholesalers Association. These new retailers were added to our list frame and played a role in improving our accuracy rate. The Kentucky Synar Coordinator met

with the representatives from The Department of Alcoholic Beverage Control, The Department for Public Health and the Department of Revenue last year to discuss support for a tobacco licensing law. The Department Of Alcoholic Beverage Control, has changed its position on the licensing issue and is not willing, at this time, to support a licensing law.

- ☐ Limited expertise in survey methodology

- ☐ Laws/regulations limiting the use of minors in tobacco inspections

- ☐ Difficulties recruiting youth inspectors

- ☐ Issues regarding the balance of inspections conducted by youth inspectors age 15 and under

- ☒ Issues regarding the balance of inspections conducted by one gender of youth inspectors

This has been a problem in the past, however this year we had twice as many female inspectors as male.

- ☐ Geographic, demographic, and logistical considerations in conducting inspections

- ☐ Cultural factors (e.g., language barriers, young people purchasing for their elders)

Kentucky's history and culture is bound in the cultivation and processing of tobacco. Many rural youth spent their summers working in their family or neighbor's tobacco fields, cutting, sorting and hanging tobacco. The role of tobacco in Kentucky's economy, coupled with the fact that tobacco was the livelihood of many Kentucky families, has created strong norms of acceptance around tobacco that pose a significant challenge to prevention efforts. Initially, many of our tobacco prevention efforts, especially the environmentally focused ones, were misperceived as being anti-farmer or restricting some supposed constitutional freedom that allowed people to smoke. Fortunately, considerable progress has been made in framing tobacco prevention within its proper context of a public health issue. A state-wide smoke free law has been introduced into the last six legislative sessions and has failed each time. According to the CDC's Mortality and Morbidity report, only 31.4% of Kentucky's population is covered by comprehensive clean indoor air ordinances.

The problem of cultural norms favorable to underage tobacco use continues to be addressed through a comprehensive mix of education, information dissemination,

environmental strategies, and by engaging youth groups in media campaigns to change the acceptability of underage tobacco use. These efforts are having a measurable impact, as can be evidenced from the data on our 2016 Kentucky Incentives for Prevention School Survey. Personal disapproval of smoking cigarettes among 10th graders has climbed from 57.6 % in 2004 to 73.9% in 2016. During that same time frame, perceived availability of cigarettes among tenth graders (If you wanted some-cigarettes, how easy would it be for you to get some?) has decreased from 76% in 2004 to 55% in 2016.

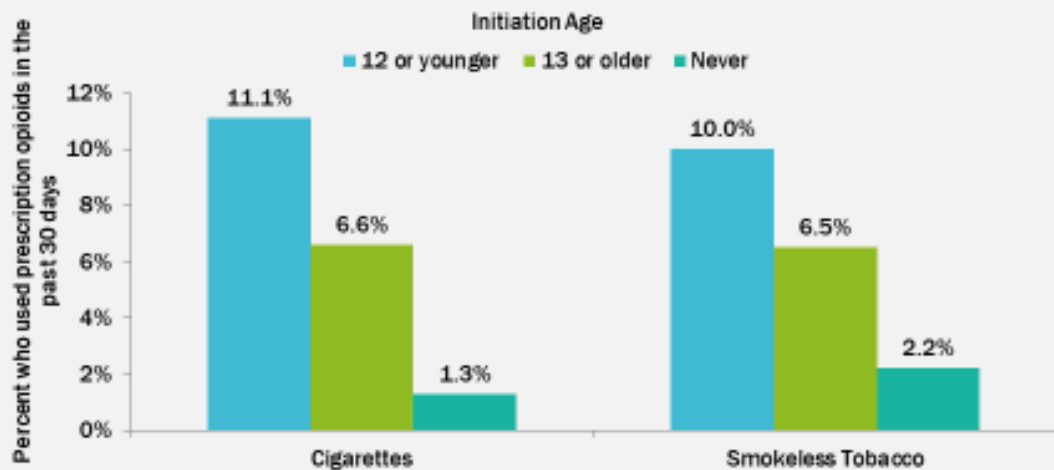
More importantly, the age of onset for smoking has seen dramatic decreases. The percentage of 10th graders who reported smoking their first cigarette before 12 years old has dropped from 34.2% in 2004 to 11.8% in 2016. Likewise, past 30 day smoking has seen dramatic improvements. In 2004, 27% of 10th graders reported having smoked a cigarette in the past 30 days compared to 13.1% in 2016. We also saw a significant decrease in E-cigarette use for all grades combined (6, 8, 10 and 12) from 10.9% in 2014 down to 8% in 2016. Clearly, our efforts to limit youth access to tobacco products, coupled with the excellent work of our Regional Prevention Staff and Kentucky Agency for Substance Abuse Policy Local Boards are making a difference.

☐ Issues regarding sources of tobacco under tribal jurisdiction

☒ Other challenges (*Please list.*)_As stated in last year's report, Kentucky's Heroin/Fentanyl epidemic has become the major focus of our state prevention efforts. This has had the unintentional effect of diverting attention away from underage use of tobacco. The proliferations of new electronic nicotine devices JUUL, JUNO, Sarin etc., has made it difficult for our prevention specialists to stay knowledgeable on the latest trends. However, a newly released report by Kentucky's SEOW may help us put tobacco and specifically the youth access issue back in the forefront. Using KIP data as its source, the SEOW cross tabulated early onset of gateway drugs (Alcohol, tobacco and marijuana) with later non-medical use of opioids. Early onset is defined by consuming one of these gateway drugs by age 12 or younger. The data shows that youth who smoke cigarettes or use tobacco at age 12 or younger are 10 times more likely to use opioids later in their teens than youth who never have never smoked. A similar correlation was found between early onset of tobacco use and suicide attempts. Youth who smoked at age twelve or younger. (See graphs below).

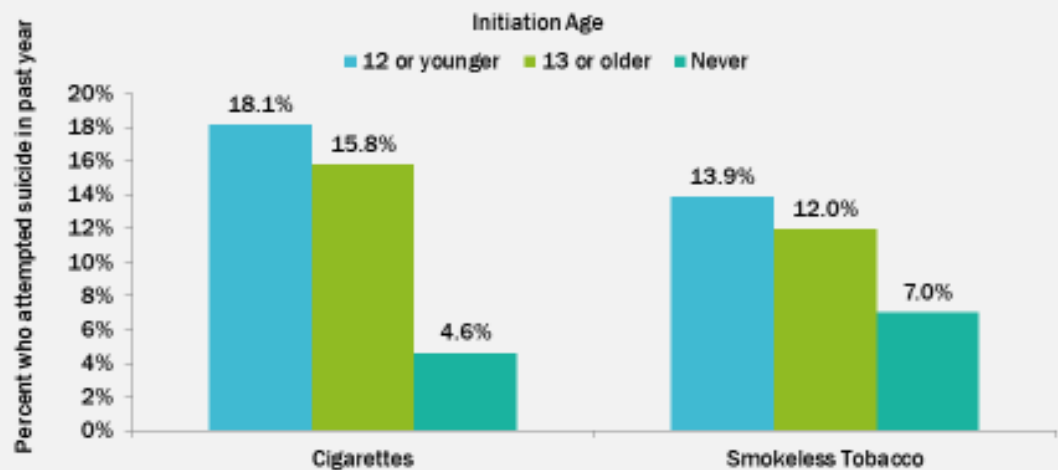
EARLY INITIATION OF TOBACCO USE & OPIOIDS

**Current Rx Opioid Use and Early Initiation of Substance Use
Among 10th Graders - 2016 KIP Data**



EARLY INITIATION OF TOBACCO USE & SUICIDE ATTEMPT

**Past Year Suicide Attempt and Early Initiation of Substance Use
Among 10th Graders - 2016 KIP Data**



APPENDIX A: FORMS 1–5

FORM 1 (Required for all states not using the Synar Survey Estimation System (SSES) to analyze the Synar Survey data)

Complete Form 1 to report sampling frame and sample information and to calculate the unweighted retailer violation rate (RVR) using results from the current year’s Synar survey inspections.

Instructions for Completing Form 1: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2019). Provide the remaining information by stratum if stratification was used. Make copies of the form if additional rows are needed to list all the strata.

Column 1: *If stratification was used:*

1(a) Sequentially number each row.

1(b) Write in the name of each stratum. All strata in the state must be listed.

If no stratification was used:

1(a) Leave blank.

1(b) Write “state” in the first row (indicates that the whole state is a single stratum).

Note for unstratified samples: For Columns 2–5, wherever the instruction refers to “each stratum,” report the specified information for the state as a whole.

Column 2: 2(a) Report the number of over-the-counter (OTC) outlets in the sampling frame in each stratum.
2(b) Report the number of vending machine (VM) outlets in the sampling frame in each stratum.
2(c) Report the combined total of OTC and VM outlets in the sampling frame in each stratum.

Column 3: 3(a) Report the estimated number of eligible OTC outlets in the OTC outlet population in each stratum.
3(b) Report the estimated number of eligible VM outlets in the VM outlet population in each stratum.
3(c) Report the combined total estimated number of eligible OTC and VM outlets in the total outlet population in each stratum.

The estimates for Column 3 can be obtained from the Synar survey sample as the weighted sum of eligible outlets by outlet type.

Column 4: 4(a) Report the number of eligible OTC outlets for which an inspection was completed, for each stratum.
4(b) Report the numbers of eligible VM outlets for which an inspection was completed, for each stratum.
4(c) Report the combined total of eligible OTC and VM outlets for which an inspection was completed, for each stratum.

Column 5: 5(a) Report the number of OTC outlets found in violation of the law as a result of completed inspections, for each stratum.
5(b) Report the number of VM outlets found in violation of the law as a result of completed inspections, for each stratum.
5(c) Report the combined total of OTC and VM outlets found in violation of the law as a result of completed inspections, for each stratum.

Totals: For each subcolumn (a–c) in Columns 2–5, provide totals for the state as a whole in the last row of the table. These numbers will be the sum of the numbers in each row for the respective column.

FORM 1 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar Survey data.)

[illegible]

RECORD COLUMN TOTALS ON LAST LINE (LAST PAGE ONLY IF MULTIPLE PAGES ARE NEEDED).

FORM 2 (Optional)**Appropriate for stratified simple or systematic random sampling designs.**

Complete Form 2 to calculate the weighted RVR. This table (in Excel form) is designed to calculate the weighted RVR for stratified simple or systematic random sampling designs, accounting for ineligible outlets and noncomplete inspections encountered during the annual Synar survey.

Instructions for Completing Form 2: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2019).

- Column 1: Write in the name of each stratum into which the sample was divided. These should match the strata reported in Column 1(b) of Form 1.
- Column 2: Report the number of outlets in the sampling frame in each stratum. These numbers should match the numbers reported for the respective strata in Column 2(c) of Form 1.
- Column 3: Report the original sample size (the number of outlets originally selected, *including* substitutes or replacements) for each stratum.
- Column 4: Report the number of sample outlets in each stratum that were found to be eligible during the inspections. Note that this number must be less than or equal to the number reported in Column 3 for the respective strata.
- Column 5: Report the number of eligible outlets in each stratum for which an inspection was completed. Note that this number must be less than or equal to the number reported in Column 4. These numbers should match the numbers reported in Column 4(c) of Form 1 for the respective strata.
- Column 6: Report the number of eligible outlets inspected in each stratum that were found in violation. These numbers should match the numbers reported in Column 5(c) of Form 1 for the stratum.
- Column 7: Form 2 (in Excel form) will automatically calculate the stratum RVR for each stratum in this column. This is calculated by dividing the number of inspected eligible outlets found in violation (Column 6) by the number of inspected eligible outlets (Column 5). The state unweighted RVR will be shown in the Total row of Column 7.
- Column 8: Form 2 (in Excel form) will automatically calculate the estimated number of eligible outlets in the population for each stratum. This calculation is made by multiplying the number of outlets in the sampling frame (Column 2) times the number of eligible outlets (Column 4) divided by the original sample size (Column 3). Note that these numbers will be less than or equal to the numbers in Column 2.
- Column 9: Form 2 (in Excel form) will automatically calculate the relative stratum weight by dividing the estimated number of eligible outlets in the population for each stratum in Column 8 by the Total of the values in Column 8.
- Column 10: Form 2 (in Excel form) will automatically calculate each stratum's contribution to the state weighted RVR by multiplying the stratum RVR (Column 7) by the relative stratum weight (Column 9). The weighted RVR for the state will be shown in the Total row of Column 10.
- Column 11: Form 2 (in Excel form) automatically calculates the standard error of each stratum's RVR (Column 7). The standard error for the state weighted RVR will be shown in the Total row of Column 11.
- TOTAL: For Columns 2–6, Form 2 (in Excel form) provides totals for the state as a whole in the last row of the table. For Columns 7–11, it calculates the respective statistic for the state as a whole.

FORM 2 (Optional) Appropriate for stratified simple or systematic random sampling designs.

Calculation of Weighted Retailer Violation Rate										
										State: _____
										FFY: 2019
(1) Stratum Name	(2) N Number of Outlets in Sampling Frame	(3) n Original Sample Size	(4) n1 Number of Sample Outlets Found Eligible	(5) n2 Number of Outlets Inspected	(6) x Number of Outlets Found in Violation	(7) p=x/n2 Stratum Retailer Violation Rate	(8) N'=N(n1/n) Estimated Number of Eligible Outlets in Population	(9) w=N'/Total Column 8 Relative Stratum Weight	(10) pw Stratum Contribution to State Weighted RVR	(11) s.e. Standard Error of Stratum RVR
Total										

- N - number of outlets in sampling frame
 n - original sample size (number of outlets in the original sample)
 n1 - number of sample outlets that were found to be eligible
 n2 - number of eligible outlets that were inspected
 x - number of inspected outlets that were found in violation
 p - stratum retailer violation rate ($p=x/n2$)
 N' - estimated number of eligible outlets in population ($N'=N*n1/n$)
 w - relative stratum weight ($w=N'/\text{Total Column 8}$)
 pw - stratum contribution to the weighted RVR
 s.e. - standard error of the stratum RVR

FORM 3 (Required when a cluster design is used for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar survey data.)

Complete Form 3 to report information about primary sampling units when a cluster design was used for the Synar survey.

Instructions for Completing Form 3: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2019).

Provide information by stratum if stratification was used. Make copies of the form if additional rows are needed to list all the strata.

Column 1: Sequentially number each row.

Column 2: *If stratification was used:* Write in the name of stratum. All strata in the state must be listed.

If no stratification was used: Write “state” in the first row to indicate that the whole state constitutes a single stratum.

Column 3: Report the number of primary sampling units (PSUs) (i.e., first-stage clusters) created for each stratum.

Column 4: Report the number of PSUs selected in the original sample for each stratum.

Column 5: Report the number of PSUs in the final sample for each stratum.

TOTALS: For Columns 3–5, provide totals for the state as a whole in the last row of the table.

Summary of Clusters Created and Sampled				
State: _____				
FFY: 2019				
(1) Row #	(2) Stratum Name	(3) Number of PSUs Created	(4) Number of PSUs Selected	(5) Number of PSUs in the Final Sample
Total				

FORM 4 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar Survey data)

Complete Form 4 to provide detailed tallies of ineligible sample outlets by reasons for ineligibility and detailed tallies of eligible sample outlets with noncomplete inspections by reasons for noncompletion.

Instructions for Completing Form 4: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2019).

Column 1(a): Enter the number of sample outlets found ineligible for inspection by reason for ineligibility. Provide the total number of ineligible outlets in the row marked "Total."

Column 2(a): Enter the number of eligible sample outlets with noncomplete inspections by reason for noncompletion. Provide the total number of eligible outlets with noncomplete inspections in the row marked "Total."

Inspection Tallies by Reason of Ineligibility or Noncompletion State: _____ FFY: 2019 _____			
(1) INELIGIBLE		(2) ELIGIBLE	
Reason for Ineligibility	(a) Counts	Reason for Noncompletion	(a) Counts
Out of business		In operation but closed at time of visit	
Does not sell tobacco products		Unsafe to access	
Inaccessible by youth		Presence of police	
Private club or private residence		Youth inspector knows salesperson	
Temporary closure		Moved to new location	
Unlocatable		Drive-thru only/youth inspector has no driver's license	
Wholesale only/Carton sale only		Tobacco out of stock	
Vending machine broken		Ran out of time	
Duplicate		Other noncompletion reason(s) (<i>Describe.</i>)	
Other ineligibility reason(s) (<i>Describe.</i>)			
Total		Total	

FORM 5 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar survey data)

Complete Form 5 to show the distribution of outlet inspection results by age and gender of the youth inspectors.

Instructions for Completing Form 5: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2019).

Column 1: Enter the number of attempted buys by youth inspector age and gender.

Column 2: Enter the number of successful buys by youth inspector age and gender.

If the inspectors are age eligible but the gender of the inspector is unknown, include those inspections in the “Other” row. Calculate subtotals for males and females in rows marked “Male Subtotal” and “Female Subtotal.” Sum subtotals for Male, Female, and Other and record in the bottom row marked “Total.” Verify that the total of attempted buys and successful buys equals the total for Column 4(c) and Column 5(c), respectively, on Form 1. If the totals do not match, please explain any discrepancies.

Synar Survey Inspector Characteristics		
		State: _____
		FFY: 2019
	(1) Attempted Buys	(2) Successful Buys
Male		
15 years		
16 years		
17 years		
18 years		
19 years		
20 years		
Male Subtotal		
Female		
15 years		
16 years		
17 years		
18 years		
19 years		
20 years		
Female Subtotal		
Other		
Total		

APPENDIXES B & C: FORMS

Instructions

Appendix B (Sampling Design) and Appendix C (Inspection Protocol) are to reflect the state's CSAP-approved sampling design and inspection protocol. These appendixes, therefore, should generally describe the design and protocol and, with the exception of Question #10 of Appendix B, are not to be modified with year-specific information. Please note that any changes to either appendix must receive CSAP's advance, written approval. To facilitate the state's completion of this section, simply cut and paste the previously approved sampling design (Appendix B) and inspection protocol (Appendix C) and respond to Question #10 of Appendix B to provide the requested information about sample size calculations for the Synar survey conducted in FFY 2018.

APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State: KY

FFY: 2019

1. What type of sampling frame is used?

- ☒ List frame (*Go to Question 2.*)
☐ Area frame (*Go to Question 3.*)
☐ List-assisted area frame (*Go to Question 2.*)

2. List all sources of the list frame. Indicate the type of source from the list below. Provide a brief description of the frame source. Explain how the lists are updated (method), including how new outlets are identified and added to the frame. In addition, explain how often the lists are updated (cycle). (*After completing this question, go to Question 4.*)

Use the corresponding number to indicate Type of Source in the table below.

- 1 – Statewide commercial business list 4 – Statewide retail license/permit list
2 – Local commercial business list 5 – Statewide liquor license/permit list
3 – Statewide tobacco license/permit list 6 – Other

Name of Frame Source	Type of Source	Description	Updating Method and Cycle
Dun and Bradstreet business list	1	Commercial list generated for REACH of Louisville Inc., purchased each year prior to drawing the sample.	Continual update throughout the year. The list is examined to identify potentially ineligible outlets, known not selling tobacco. Telephone calls are made to determine if the vendor is still in business and if the address is correct. Data from previous year's field report are merged to the newest database so that information can be updated and outlets known to be out of business or duplicate corporate names are eliminated. The Department of Alcoholic Beverage Control officers update addresses and other information based on personal knowledge of the area and/or Synar inspections.
Kentucky Lottery Association Retailer List	1	We have been using the lottery list since 2013. We receive an updated list every year from the Kentucky Lottery Corporation. The list was checked against the updated list and found to be very clean.	Continual update throughout the year. The list is examined to identify potentially ineligible outlets, known not selling tobacco. Telephone calls are made to determine if the vendor is still in business and if the address is correct. Data from previous year's field report are merged to the newest database so that information can be updated and outlets known to be out of business or duplicate

			corporate names are eliminated. The Department of Alcoholic Beverage Control officers update addresses and other information based on personal knowledge of the area and/or Synar inspections.
Info USA	1	Commercial list generated for REACH of Louisville Inc., purchased each year prior to drawing the sample.	Continual update throughout the year. The list is examined to identify potentially ineligible outlets, known not selling tobacco. Telephone calls are made to determine if the vendor is still in business and if the address is correct. Data from previous year's field report are merged to the newest database so that information can be updated and outlets known to be out of business or duplicate corporate names are eliminated. The Department of Alcoholic Beverage Control officers update addresses and other information based on personal knowledge of the area and/or Synar inspections.
Supplemental Nutrition Assistance Program	6	This source was recommended by the Executive Director of the Kentucky Grocer's Association. The SNAP website has a feature that allows users to download an excel sheet of all the stores that participate in SNAP within the state of a given zip code. The Kentucky Synar Program Coordinator downloaded this list and forwarded it to the Synar statistician. The statistician reported that the list had a number of stores that were not on the preexisting Synar list frame. The SNAP Website is: http://www.snapretailerlocator.com	Continual update throughout the year. The list is examined to identify potentially ineligible outlets, known not selling tobacco. Telephone calls are made to determine if the vendor is still in business and if the address is correct. Data from previous year's field report are merged to the newest database so that information can be updated and outlets known to be out of business or duplicate corporate names are eliminated. The Department of Alcoholic Beverage Control officers update addresses and other information based on personal knowledge of the area and/or Synar inspections.

3. If an area frame is used, describe how area sampling units are defined and formed.

a. Is any area left out in the formation of the area frame?

☐ Yes ☐ No

If Yes, what percentage of the state's population is not covered by the area frame?

_____ %

4. Federal regulation requires that vending machines be inspected as part of the Synar survey. Are vending machines included in the Synar survey?

☐ Yes ☒ No

If No, please indicate the reason(s) they are not included in the Synar survey. Please check all that apply.

- ☐ State law bans vending machines.
- ☐ State law bans vending machines from locations accessible to youth.
- ☒ State has a contract with the FDA and is actively enforcing the vending machine requirements of the Family Smoking Prevention and Tobacco Control Act.
- ☐ Other (Please describe.) _____

If Yes, please indicate how likely it is that vending machines will be sampled.

- ☐ Vending machines are sampled separately to ensure vending machines are included in the sample
- ☐ Vending machines are sampled together with over the counter outlets, so it is possible that no vending machines were sampled, however they are included in the sampling frame and have a non-zero probability of selection
- ☐ Other reasons (Please describe.) _____

5. Which category below best describes the sample design? (Check only one.)

☐ **Census** (STOP HERE: Appendix B is complete.)

Unstratified statewide sample:

- ☒ Simple random sample (Go to Question 9.)
- ☐ Systematic random sample (Go to Question 6.)
- ☐ Single-stage cluster sample (Go to Question 8.)
- ☐ Multistage cluster sample (Go to Question 8.)

Stratified sample:

- ☐ Simple random sample (Go to Question 7.)
- ☐ Systematic random sample (Go to Question 6.)
- ☐ Single-stage cluster sample (Go to Question 7.)
- ☐ Multistage cluster sample (Go to Question 7.)
- ☐ **Other** (Please describe and go to Question 9.) _____

6. Describe the systematic sampling methods. (After completing Question 6, go to Question 7 if stratification is used. Otherwise go to Question 9.)

7. Provide the following information about stratification.

a. Provide a full description of the strata that are created.

b. Is clustering used within the stratified sample?

☐ **Yes** (Go to Question 8.)

☐ **No** (Go to Question 9.)

8. Provide the following information about clustering.

- a. Provide a full description of how clusters are formed.** (If multistage clusters are used, give definitions of clusters at each stage.)

- b. Specify the sampling method (simple random, systematic, or probability proportional to size sampling) for each stage of sampling and describe how the method(s) is (are) implemented.**

9. Provide the following information about determining the Synar Sample.

- a. Was the Synar Survey Estimation System (SSES) used to calculate the sample size?**

☒ **Yes** (Respond to part b.)

☐ **No** (Respond to part c and Question 10c.)

- b. SSES Sample Size Calculator used?**

☒ **State Level** (Respond to Question 10a.)

☐ **Stratum Level** (Respond to Question 10a and 10b.)

- c. Provide the formulas for determining the effective, target, and original outlet sample sizes.**

The SSES Sample Size Calculator was used to determine the minimum adequate sample size.

Below is the formula it uses for calculating a sample size using a 1-tailed test:
Effective Sample Size:

$$n_e = \frac{1}{\left(\frac{(s.e.)^2}{P(1-P)} + \frac{1}{N} \right)}$$

where P is the expected violation rate, which is the previous year's RVR;
s.e. is the standard error of the estimate for 3% margin of error for a one-sided confidence interval and N is the total number of outlets in the sampling frame.
The target sample size (nt) is the effective sample size multiplied by the design effect (estimated to be 1).

The original sample size is determined by:

$$n_o = (1 + s) \frac{n_t}{r_l r_c}$$

where s is a safety margin of 50%, r_l is the expected eligibility rate, and r_c is the expected completion rate (as estimated by the eligibility and completion rates from the previous year's survey).

* Note: "Note: Per our agreement with SAMHSA for Synar inspections in Federal Fiscal Years 2017 and 2018 (to be reported in the Annual Synar Report for Federal Fiscal Years 2018 and 2019), Kentucky will use a fixed accuracy rate of 60%." The SSES Sample Size Calculator was used to determine the minimum adequate sample size.

10. Provide the following information about sample size calculations for the Synar survey conducted in FFY 2018.

- a. If the state uses the sample size formulas embedded in the SSES Sample Size Calculator to calculate the state level sample size, please provide the following information:**

Inputs for Effective Sample Size:

RVR: 7.0%

Frame Size: 3592

Input for Target Sample Size:

Design Effect: 1.0

Inputs for Original Sample Size:

Safety Margin: 50%

Accuracy (Eligibility) Rate: 90.5%

Completion Rate: 100%

- b. If the state uses the sample size formulas embedded in the SSES Sample Size Calculator to calculate the stratum level sample sizes, please provide the stratum level information:**

Single stratum only

- c. If the state does not use the sample size formulas embedded in the SSES Sample Size Calculator, please provide all inputs required to calculate the effective, target, and original sample sizes as indicated in Question 9.**

APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL SUMMARY

State: KY

FFY: 2019

Note: Upload to WebBGAS a copy of the Synar inspection form under the heading "Synar Inspection Form" and a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections under the heading "Synar Inspection Protocol."

1. How does the state Synar survey protocol address the following?

a. Consummated buy attempts?

- ☒ Required
☐ Permitted under specified circumstances (Describe: _____)
☐ Not permitted

b. Youth inspectors to carry ID?

- ☐ Required
☐ Permitted under specified circumstances (Describe: _____)
☒ Not permitted

c. Adult inspectors to enter the outlet?

- ☒ Required
☐ Permitted under specified circumstances (Describe: _____)
☐ Not permitted

d. Youth inspectors to be compensated?

- ☒ Required
☐ Permitted under specified circumstances (Describe: _____)
☐ Not permitted

2. Identify the agency(ies) or entity(ies) that actually conduct the random, unannounced Synar inspections of tobacco outlets. (Check all that apply.)

- ☐ Law enforcement agency(ies)
☒ State or local government agency(ies) other than law enforcement
☐ Private contractor(s)
☐ Other

List the agency name(s): Department of Alcoholic Beverage Control

3. Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement representatives issue warnings or citations to retailers found in violation of the law at the time of the inspection)?

☒ Always ☐ Usually ☐ Sometimes ☐ Rarely ☐ Never

4. Describe the type of tobacco products that are requested during Synar inspections.

- a. What type of tobacco products are requested during the inspection?

☒ Cigarettes
☐ Small Cigars
☐ Cigarillos
☒ Smokeless Tobacco
☒ Electronic Cigarettes/Electronic Nicotine Delivery Systems (ENDS)
☐ Other

- b. Describe the protocol for identifying what types of products and what brands of products are requested during an inspection.

The Investigative Aides are instructed to ask for a pack of cigarettes. No brand is specified in the protocol. This is to allow for flexibility as changes in youth brand preferences. Brand preferences are determined by focus groups conducted by the Tobacco Prevention Enhancement Site and input from Regional Prevention Center Staff. The same methodology is applied to smokeless tobacco (if the inspection is being conducted for smokeless the investigative aide is instructed to ask for smokeless). The brand may change periodically depending on changes in the market and youth preferences. As far as E-cigarettes are concerned, the youth Investigative Aide is instructed to ask for a single disposable E-cigarette. If the store under inspection does not stock disposable e-cigarettes the youth will simply ask for a pack of combustible cigarettes.

- 5a. Describe the methods used to recruit, select, and train adult supervisors.

Adult Supervisors are the The Department of Alcoholic Beverage Control Enforcement Officers. They are recruited and trained according to the Department's tobacco enforcement protocol.

- 5b. Describe the methods used to recruit, select, and train youth inspectors.

The Department of Alcoholic Beverage Control recruits youth aged 16-17 years of age from youth groups and school organizations. Local health departments and Regional Prevention Centers assist in recruitment by distributing Investigative Aide Flyers to local coalitions and youth groups. Two investigators train the Investigative Aides (IAs).

Youth who are interested in the IA program first send in an application. The application must include a recent photo, a copy of the youth's birth certificate, plus the parent's or guardian's signature giving permission for the youth to work as an IA. When the application is accepted, the youth is sent a welcome letter, and all of the Investigators are informed of the new recruit.

Each Investigator makes his/her own work schedule. When the Synar inspections begin, the Investigator will decide which area to work and call the IAs, to see whose schedule is open and can work. Once an IA is found who is able to work, the checks begin. If a teen is chosen who is new to the program, training occurs before any checks are worked. Both the Department of Alcoholic Beverage Control office and the Investigators are open to speak with the parents at anytime, if they have any concerns or questions.

Teens are assigned to an area close to home, but they do not complete inspections in the county where they reside (except for large urban areas - Louisville and Lexington).

6. Are there specific legal or procedural requirements instituted by the state to address the issue of youth inspectors' immunity when conducting inspections?

a. Legal

☒ Yes ☐ No

(If Yes, please describe.)

Kentucky Revised Statute (KRS) 438.330 (1) states that inspections shall be conducted to enforce KRS 438.305 to 438.440. Youth may be used in these inspections if they are conducted under the direct supervision of The Department of Alcoholic Beverage Control, the sheriff, or the Chief of Police, and written consent has been obtained from the parent(s). Otherwise, KRS 438.311 (1) states, "it shall be unlawful for a person who has not attained the age of eighteen (18) years to purchase a tobacco product."

b. Procedural

☒ Yes ☐ No

(If Yes, please describe.)

The minor must be between 16 and 17 years old, and have been trained by two Investigators. During inspections, two adult Investigators will be with the teens at all times. The teen is not allowed to drive; for this reason, the Investigator will pick up the IA. Teens must complete inspections during daylight hours. The IAs are instructed to dress casually, look their age. Boys may not have facial hair. Girls are only permitted to wear light, neutral makeup. Teens will not complete tobacco inspections in their home county, unless it is Jefferson or Fayette counties, where they will not be working in the neighborhoods close to where they live. Teens are asked not to discuss the survey with anyone except their parents.

7. Are there specific legal or procedural requirements instituted by the state to address the issue of the safety of youth inspectors during all aspects of the Synar inspection process?

a. Legal

☒ Yes ☐ No

(If Yes, please describe.)

Teens must complete inspections during daylight hours. They must wear seat belts at all times while riding with enforcement officer. Adults must observe child labor laws at all times, and will watch for teens becoming too tired or hungry.

b. Procedural

☒ Yes ☐ No

(If Yes, please describe.)

As per the Kentucky Synar Inspection Protocol, the ABC enforcement officer always enters the store first. If the ABC enforcement officer quickly exits the premises, that is a sign that it is not safe for the Investigative Aide to enter. Investigative aides never enter a business that either they or the enforcement officer perceive as unsafe. They are never taken into any bars or liquor stores. Safety of the Investigative Aide is the number one priority.

8. Are there any other legal or procedural requirements the state has regarding how inspections are to be conducted (e.g., age of youth inspector, time of inspections, training that must occur)?

a. Legal

☒ Yes ☐ No

(If Yes, please describe.)

KRS 438.330 (1) states that assurance is needed that inspections shall be conducted at retail outlets where, and when, youth under 18 frequently buy tobacco products.

b. Procedural

☐ Yes ☐ No

(If Yes, please describe.)

The minor must be between 16 and 17 years old, and have been trained by two ABC Enforcement Officers. During inspections, two adult Investigators are with the teens at all times. The teen is not allowed to drive; for this reason, the Investigator will pick up the IA. Teens must complete inspections during daylight hours. The IAs are instructed to dress casually, look their age. Boys may not have facial hair. Girls are only permitted to wear light, neutral makeup. Teens will not complete tobacco inspections in their home county, unless it is Jefferson or Fayette counties, where they will not be working in the neighborhoods close to where they live. Teens are asked not to discuss the survey with anyone except their parents.

The Investigative Aides are trained to ask for cigarettes smokeless tobacco (if it is an inspection for smokeless tobacco) and e-cigarettes. No brand names are specified in the protocol to allow for differences in regional brand preferences, as well as any future brands that youth may prefer.

APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

(LIST FRAME ONLY)

State: KY
FFY: 2019

1. Calendar year of the coverage study: 2016

2. a. Unweighted percent coverage found: 81.06%
 b. Weighted percent coverage found: N/A%
 c. Number of outlets found through canvassing: 132
 d. Number of outlets matched on the list frame: 107

3. a. Describe how areas were defined. (e.g., census tracts, counties, etc.)

Areas for sampling were defined as Census Tracts, as recommended by the CSAP Coverage Study Guide.

b. Were any areas of the state excluded from sampling?

☐ Yes ☒ No

If Yes, please explain.

4. Please answer the following questions about the selection of canvassing areas.

a. Which category below best describes the sample design? (Check only one.)

☐ Census (Go to Question 6.)

Unstratified statewide sample:

☒ Simple random sample (Respond to Part b.)

☐ Systematic random sample (Respond to Part b.)

☐ Single-stage cluster sample (Respond to Parts b and d.)

☐ Multistage cluster sample (Respond to Parts b and d.)

Stratified sample:

☐ Simple random sample (Respond to Parts b and c.)

☐ Systematic random sample (Respond to Parts b and c.)

☐ Single-stage cluster sample (Respond to Parts b, c, and d.)

☐ Multistage cluster sample (Respond to Parts b, c, and d.)

☐ Other (Please describe and respond to Part b.) _____

b. Describe the sampling methods.

A random sample of 20 Census Tracts were selected from the area frame of all Census 2010 Census Tracts.

c. Provide a full description of the strata that were created.

d. Provide a full description of how clusters were formed.

5. Were borders of the selected areas clearly identified at the time of canvassing?

☒ Yes ☐ No

6. Were all sampled areas visited by canvassing teams?

☒ Yes (*Go to Question 7.*) ☐ No (*Respond to Parts a and b.*)

a. Was the subset of areas randomly chosen?

☐ Yes ☐ No

b. Describe how the subsample of visited areas was drawn. Include the number of areas sampled and the number of areas canvassed.

7. Were field observers provided with a detailed map of the canvassing areas?

☒ Yes ☐ No

If No, describe the canvassing instructions given to the field observers.

8. Were field observers instructed to find all outlets in the assigned area?

☒ Yes ☐ No

If No, respond to Question 9.

If Yes, describe any instructions given to the field observers to ensure the entire area was canvassed, then go to Question 10.

Instructions given to the field observers:

1. The Department for Behavioral Health recommends that two field workers (canvassers) be employed when field checking for tobacco outlets, one canvasser can drive, while another canvasser checks the map and records tobacco outlet information on the Canvassing Sheet.
2. We have sent you a Canvassing Map depicting a census tract study area that your organization will use to canvass for tobacco retailing outlets. The canvassers are to check every road within (and also on the boundary of) the thick red boundary line on the map, and record each tobacco outlet in (and on the boundary of) the census tract.

(NOTE: be sure to inspect and record outlet information for both sides of the streets on the border of the tract, shown as a thick red line on your canvassing map).

3. Canvassing Sheets on which the field staff will record the existence and necessary identifying information for each eligible outlet encountered in the field are included within this document (enclosed with your canvassing map). Field Personnel will use the Canvassing Sheets to record the name and address/location of each outlet and any other relevant information (e.g., telephone number if possible).

4. The field workers will visit every street on the master list of streets for the study (enclosed with your canvassing map and canvassing sheets) and record on the canvassing sheet all eligible outlets in each sample area. The field worker will carefully check the eligibility of each identified outlet by determining whether tobacco products are sold and whether the outlet is accessible to youth under the legal age (e.g., 18). It is not necessary to record information for tobacco outlets that are inaccessible to minors such as night clubs and bars. In high density areas field canvassers will check throughout the entire complex or speak with the management to identify tobacco outlets operating within the complex. This also applies to malls, recreational areas, campuses, etc.

NOTE: Some newer streets/roads or private streets/roads may not appear on the map or on the Master List of Streets. If a tobacco outlet is found on an unlisted street, BE SURE TO RECORD the outlet info

5. As each street in a study area is visited the field personnel should check off the corresponding road names on the master list of streets. When the field canvassing is completed, the field worker will make a final check that all roads on the maps have been covered and all necessary information about the identified outlets has been gathered and prepared for transmission. Field workers will then transmit the field canvassing sheets to REACH of Louisville for use in measuring the coverage of the Synar survey list frame.

9. If a full canvassing was not conducted:

a. How many predetermined outlets were to be observed in each area? _____

b. What were the starting points for each area? _____

c. Were these starting points randomly chosen?

☐ Yes ☐ No

d. Describe the selection of the starting points.

e. Please describe the canvassing instructions given to the field observers, including predetermined routes.

10. Describe the process field observers used to determine if an outlet sold tobacco.

Field inspectors were instructed to verify that the outlet sold tobacco by driving close enough to the store front to identify tobacco signage. In the event that no tobacco signage was present they were instructed to enter the store and scan for tobacco products.

11. Please provide the state's definition of "matches" or "mismatches" to the Synar sampling frame? (i.e., address, business name, business license number, etc.)

The canvassed outlets were carefully matched to the current list frame based upon the outlet's characteristics. A match was constituted primarily by the existence of matching address, and secondly, by the matching of other characteristics, which was most often the outlet's name and address. In cases where the outlet name had changed, attempts were made to verify the name change. In cases where no one could be reached to verify a name change, other secondary characteristics (e.g. outlet location) were used in addition to the primary matching of the address.

12. Provide the calculation of the weighted percent coverage (if applicable).

Not applicable.